
By: ~~Delegate Hubbard~~ **Delegates Hubbard and Donoghue**
Introduced and read first time: February 10, 2003
Assigned to: Rules and Executive Nominations
Re-referred to: Health and Government Operations, February 21, 2003

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 21, 2003

CHAPTER _____

1 AN ACT concerning

2 **Health Insurance - Reimbursement for Provider Services - Professional**
3 **Counselors and Therapists**

4 FOR the purpose of repealing a provision of law relating to the construction of certain
5 provisions of the Health Occupations Article and reimbursement for certain
6 services of professional counselors or marriage and family therapists; requiring
7 reimbursement under certain policies, contracts, or certificates of health
8 insurance for services of certain professional counselors, certain marriage and
9 family therapists, or certain alcohol and drug counselors under certain
10 circumstances; and generally relating to required reimbursement for services of
11 professional counselors and therapists under health insurance.

12 BY repealing
13 Article - Insurance
14 Section 15-704
15 Annotated Code of Maryland
16 (2002 Replacement Volume and 2002 Supplement)

17 BY adding to
18 Article - Insurance
19 Section 15-704
20 Annotated Code of Maryland
21 (2002 Replacement Volume and 2002 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Insurance

2 [15-704.

3 Notwithstanding § 15-701(a) of this subtitle, unless a policy, contract, or
4 certificate described in § 15-701(a) of this subtitle expressly provides for
5 reimbursement for a service that is within the lawful scope of practice of a
6 professional counselor or professional counselor-marriage and family therapist
7 certified under the Health Occupations Article, the provisions of the Health
8 Occupations Article that govern the certification and regulation of professional
9 counselors and professional counselor-marriage and family therapists may not be
10 construed to entitle the insured or any other person covered by the policy, contract, or
11 certificate to reimbursement for the service.]

12 15-704.

13 (A) THIS SECTION APPLIES TO EACH INDIVIDUAL, GROUP, OR BLANKET
14 HEALTH INSURANCE POLICY, CONTRACT, OR CERTIFICATE OF AN INSURER OR
15 NONPROFIT HEALTH SERVICE PLAN THAT:

16 (1) (I) IS DELIVERED OR ISSUED FOR DELIVERY IN THE STATE;

17 (II) IS ISSUED TO A GROUP THAT IS INCORPORATED OR HAS A MAIN
18 OFFICE IN THE STATE; OR

19 (III) COVERS INDIVIDUALS WHO RESIDE OR WORK IN THE STATE;
20 AND

21 (2) IS ISSUED, RENEWED, AMENDED, OR REISSUED ON OR AFTER
22 OCTOBER 1, 2003.

23 (B) IF A POLICY, CONTRACT, OR CERTIFICATE SUBJECT TO THIS SECTION
24 PROVIDES FOR REIMBURSEMENT FOR A SERVICE THAT IS WITHIN THE LAWFUL
25 SCOPE OF PRACTICE OF A LICENSED CLINICAL PROFESSIONAL COUNSELOR, A
26 LICENSED CLINICAL MARRIAGE AND FAMILY THERAPIST, OR A LICENSED CLINICAL
27 ALCOHOL AND DRUG COUNSELOR, THE INSURED OR ANY OTHER PERSON COVERED
28 BY THE POLICY OR CERTIFICATE IS ENTITLED TO REIMBURSEMENT FOR THE
29 SERVICE.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2003.

